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JUN 21 2005

Practitioner's Docket No. 200189.00001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Garfield, Paul E. Marshall, JR.

Application No.: 10/713,516

Group No.: 1713

Filed: 11/14/2003

Examiner: Lee, Rip A.

For: NON-FLAMMABLE WATERPROOFING COMPOSITION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

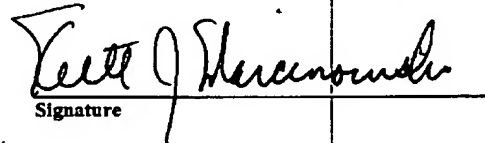
☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872 - 9306.
SignatureDate: June 21, 2005

Keith J. Marcinowski

(type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal—page 1 of 2

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE				ADDIT. FEE	
TOTAL	27	- 28	= 0	x	\$	25.00	=	\$	0.00
INDEP.	5	- 5	= 0	x	\$	100.00	=	\$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	=	\$	0.00
TOTAL ADDIT. FEE								\$	0.00

No additional fee for claims is required.

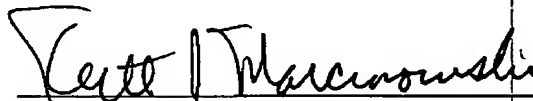
FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 15-0450.

If an additional fee for claims is required, charge Account No. 15-0450.

Date: June 21, 2005

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Signature of Practitioner
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No : 10/713,516 Confirmation No. 9976
Applicant : Garfield et al.
Filed : November 14, 2003
T.C./A.U. : 1713
Examiner : Rip A. Lee

Docket No. : 200189.00001
Customer No. : 021324

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office action of March 21, 2005, please amend the above-identified application as follows:

Amendments to the Specification - none.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.